IN THE HIGH COURT OF JUDICATURE AT BOMBAY

IN ITS INSOLVENCY JURISDICTION

PETITION NO.37 OF 2005

Re: Harmohinder Singh Balwant Singh Sethi .. Debtor.

Ex-parte:
Ghisalal Chunilalji Shah .. Petitioning Creditor.

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Mr. Shukla i/b Mr. Ramesh Jain for the Petitioning Creditor.
Debtor absent though served.

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CORAM: DR. D.Y. CHANDRACHUD, J.

7th November, 2006.

P.C. :

The Insolvency Petition is based on a decree passed by the City Civil Court in Summary Suit 4770 of 2002. An Insolvency Notice was issued on 11th August, 2004 which was served on the Debtor on 21st December, 2004. The act of insolvency was complete on 26th January, 2005. The Insolvency Petition has been duly served and an affidavit of service has been filed. There is no reply to the Petition and the Debtor has failed to appear. In the circumstances, the Insolvency Petition has to be allowed and is accordingly allowed in terms of prayer clauses (a) and (b).